

**GOVERNOR'S COUNCIL ON DISABILITIES  
AND SPECIAL EDUCATION**

**Legislative Committee**

**LOCATION**

**Governor's Council Conference Room  
3601 C Street  
Anchorage, Alaska  
Teleconference**

**Meeting Date  
July 31, 2013  
12:00 p.m.**

**Attendees:**

Dean Gates, Chair  
Banarsi Lal  
Terese Kashi  
Anthony Cravalho  
Ric Nelson  
Art Delaune  
Heidi Haas  
Akis Gialopsos

**Staff:**

Teresa Holt  
Patrick Reinhart  
Rich Sanders

Prepared by: Paula DiPaolo  
Peninsula Reporting

**CALL TO ORDER – 1:00 p.m.**  
**ROLL CALL**

## **WELCOME FROM THE CHAIR**

### ***Announcements and Good News***

Patrick Reinhart announced that there is a retirement party for Kathy Fitzgerald at the Center for Human Development today.

Teresa Holt announced the following Council members who were reappointed: Art Delaune, Ric Nelson, Eric Gebhart, and Heidi Haas. People no longer on the Council include: Ernie Manzie, Bob Peterson, David Flynn, Julie Broyles, and Kathy Fitzgerald. Newly appointed members of the Council include: Alexis Henning, David Fleurant, Angelina Fraize, Alex Gimarc, and Christine King.

## **APPROVAL OF THE AGENDA AND PAST MINUTES**

### ***Approval of the Agenda***

Heidi Haas **MOVED** to approve the agenda. The motion **PASSED**.

### ***Approval of Past Meeting Minutes***

Banarsi Lal **MOVED** to approve the minutes from the June 25, 2013 meeting. The motion **PASSED**.

### ***Conflict of Interest Declarations on Agenda Items***

Dean Gates declared a conflict of interest regarding the Municipality of Anchorage taxi ordinance and excused himself from that discussion.

### ***Correspondence***

Patrick Reinhart directed committee members to the draft letter sent to Senator Murkowski regarding the draft bill regarding the Workforce Investment Act and Rehab Act that the Health, Education, Labor, and Pensions subcommittee is working on. He stated that he and Ric Nelson

met with Senator Murkowski regarding the position paper in support of the Senate bill regarding federal education reauthorization. Patrick directed the committee members to the side-by-side comparison of the Senate and House bills on education reauthorization and noted that the Council is more in support of the Senate bill than the House bill.

## **OLD BUSINESS**

### ***Alaska Complex Behavior Collaborative Base Funding***

Teresa Holt stated that the Executive Committee met and decided that the CBC is the only funding increment the Council is going to ask for. The amount of the ask will be \$450,000. The Council presented that request to the Department of Health and Social services during the big picture budget meeting. She stated that the result of that meeting was that the word from the Commissioner and the Governor is that there is no new money, and in order for an increase to happen, a cut to another area must be demonstrated. As a result of that message, the Division of Behavioral Health declined to bring this increment forward in light of budget cuts they experienced last session.

Teresa Holt reviewed the data collected by Reta Sullivan regarding the CBC as follows:

- Since the beginning, 57 people have been referred to the CBC: 42 accepted, 5 pending, 10 not accepted.
- Of the 42 people accepted, 15 people completed or left the program.
- Of those 15, two people withdrew and two people went to an institution.
- There were a total of 11 people who have been successful CBC placements.
- There are currently 27 people in the CBC: 15 adults, 7 adolescents, 5 children. Nine have a developmental disability and a mental health issue (dually diagnosed), 15 are people with just a developmental disability diagnosis, and 3 are people with mental health only issues.
- The communities served by the CBC include Anchorage, Eagle River, Mat-Su, Fairbanks, Kenai, Homer, Valdez, Cordova, Juneau, and two northern villages.
- There are six consultants to assist in the areas of developmental

disabilities, ADRD and dementia, mental health, and TBI. They are looking for another consultant to work in the area of neurological to include TBI and FASD.

Teresa Holt stated that Reta Sullivan will be redoing the chart that lines out the costs. Teresa shared some of the preliminary data with committee members regarding costs pre CBC, during CBC, and post CBC. She stated that the review of the data indicates that there is a significant reduction in Medicaid costs following the phasing out of CBC services.

Teresa Holt shared some of the challenges with the CBC. She stated that the program is having difficulty recruiting qualified consultants for mental health and the neurological or traumatic brain injury group because people aren't willing to join on when there may or may not be ongoing funding. Another problem is that by the time people get enrolled in the CBC, they are already having significant staff retention and recruitment issues, and staff in the process of going through the CBC training get burned out and drop out. Another aspect that is limiting the CBC is the unavailability of ancillary services in many communities such as OT, PT, and speech. Another issue is that the CBC is supposed to be quick and temporary, and there is a sustainability issue during the phase-out period and ensuring that staff are still doing what they are supposed to be doing once the consultant quits checking in on them. There are also other environmental factors that cannot be resolved by the CBC.

Teresa then went on to share some of the successes the CBC has had. Smaller agencies have found the CBC to be extremely beneficial. The Homer agency paid for the consultant to come back to train all the staff because of the success they had seen. Feedback from families has been overwhelmingly positive.

Teresa Holt also commented that support from the other boards regarding the CBC has been waning during the last six months. The Alaska Mental Health Board didn't feel that people with mental health issues were successful and getting what they need, and the Commission on Aging was wondering how many people with ADRD were really being served. Teresa stated that she has met with those boards and shared the data, and they are now more supportive, but at the same time are unable to actively seek an increment.

### ***Advocate for Employment First Legislation***

Patrick Reinhart and Rich Sanders explained that they will be holding an Employment First Summit on September 30 and October 1. Employment First legislation will be the primary topic at the summit as well as the new Employment and Transportation Committee of the Council.

Akis Gialopsos stated that he spoke to Legislative Research and requested a September 6<sup>th</sup> deadline of having a report to disseminate regarding employment statistics from the Department of Labor, services and performance metrics with the Department of Education and Early Development, and also services being provided to individuals with developmental disabilities from the Department of Health and Social Services. That will be the compendium that will be available at the summit for discussion.

Akis stated that Representative Millett would like to have the bill ready for filing by the end of October because she wants to take the Employment First bill before the annual organization meeting of the House majority caucus before the session to advocate for it being a majority House bill. He stated that it would be a trademark piece of legislation that would come right out of the gates at the beginning of the next session in January, and it would be something that a lot of collaborative support could coalesce around. She is getting very, very good feedback on that. He stated that they really want to make this a significantly touted piece of legislation that shows this is a culture change that they are going to make with respect to the different services that are provided by the departments and divisions of the State.

Rich Sanders added that the Council and the Legislative Committee will be looking to garner support from division directors, commissioners, and the sister boards as well, because this could significantly impact a lot of the way they look at employment.

### ***Advocate for State and/or Federal Regulations Regarding Restraint and Seclusion in Schools***

Teresa Holt stated that Representative Millett's office drafted a bill for the

Council to review and provide feedback on regarding restraint and seclusion. It was redrafted and sent out to a larger audience, and Christie Reinhardt received a few comments from that but is traveling and was unable to attend this meeting to provide an update.

Akis Gialopsos stated that he is very thankful for the work of Christie Reinhardt and the Education Committee for providing the feedback for changes in a very usable and cohesive format for them to use to redraft the legislation. He stated that the major change as a result of the Education Committee's efforts is that there is now an accountability mechanism for school districts failing to report. He stated that the next step is bringing in the community stakeholders as well as the superintendant of the Anchorage School District. Teresa Holt explained that the process of bringing in key stakeholders has begun, and she also noted that Christie Reinhardt is looking at trying to connect with special education directors to get input from rural areas, particularly Barrow.

Akis Gialopsos further explained that the state legislation is modeled after the federal regulations with some modifications that make it state specific.

### ***Advocate for a State Match for Public and Community Transportation***

Patrick Reinhart explained that the Alaska Mobility Coalition is going to ask for a \$2 million appropriation.

### ***Continue to Advocate for Alternative Routes for Students with Disabilities to Pass the HSGQE and/or Receive a Diploma***

Terese Kashi stated that the HSGQE subcommittee of the Education Committee discussed some issues regarding the fact that the HSGQE might be abandoned, so the planning is somewhat difficult.

Teresa Holt further explained that the federal government has created common core standards, which is an attempt to have all the states have the same high school graduation common core standards. Alaska elected not to become part of the common core, but they created new standards that are essentially exactly the same as the common core. The states that joined the common core coalitions are creating exams to accommodate every kind of disability to show that students meet the core standards.

Alaska is looking at using the test that was created by one of these common core coalitions.

Terese Kashi further explained that some of the discussion among the subcommittee was that the IEP teams could make a decision on whether a student would need to pass an exam or take an alternative assessment. She stated that the difficulty right now is that transition plans for students start at the age of 16, which in the majority of instances means that the student has already been exposed to the HSGQE, and the numbers of students who don't come back and take the HSGQE again after that first exposure is pretty high. The HSGQE subcommittee is proposing that transition plans be initiated at the beginning of freshman year. This would allow about one-and-a-half years to identify strengths, weaknesses, and gaps that students may have so that they could receive the appropriate supports prior to taking whatever test will be applicable at that time.

### ***Provide Comment to the Anchorage Assembly on the Accessible Taxi Ordinance***

Ric Nelson chaired the discussion.

Patrick Reinhart stated that the Anchorage Transportation Commission developed an alternative ordinance for the Assembly to consider. Both ordinances were sent to the Public Safety Committee of the Assembly to review. Patrick stated that he was present at the meeting of the Public Safety Committee and provided education and feedback on both ordinances. It was decided that they are going to set the issue aside for now, and they decided not to bring the competing ordinances before the full Assembly for a vote. The plan is to convene all the parties to come up with an ordinance that makes sense.

Patrick stated that a transportation coalition the Council is participating in with the Alaska Mobility Coalition, SILC, Access Alaska, and Disability Law Center will continue to meet and watch over the events regarding this issue.

Patrick shared the highlights of a letter of concern sent by David Levy to the Anchorage Transportation Commission as follows:

- Disability awareness training for drivers and dispatch on what's appropriate and not appropriate in terms of their customer service for people with disabilities.
- Universal taxi design.
- Enforcement funding – what to do if someone is discriminated against or to catch people at discrimination and how to deal with it.
- The number of accessible permits that should be out on the streets – ten percent of the fleet.

## **UPCOMING MEETINGS AND CONFERENCES**

- Employment First Summit – September 30 – October 1, Anchorage.
- Council Meeting – October 2 – 4, Anchorage.
- Trust Mini Advocacy Summits this fall.

Patrick Reinhart explained that the Trust Mini Advocacy Summits will take place in Fairbanks, Anchorage, Mat-Su, and Juneau. He stated that the purpose for holding mini summits was to bring these events to the backyards of people and legislators, particularly those on the House Finance Committee.

## **TIME AND DATE OF NEXT MEETING**

The next meeting of the Legislative Committee is scheduled for August 29, 2013 from 12:00 p.m. to 1:30 p.m.

## **ADJOURN**

The meeting adjourned at 1:30 p.m.